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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,404	02/06/2001	Dimitri Kanevsky	13952 (YOR92000664US1)	4539

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Richard L. Catania
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

EXAMINER

SHAPIRO, LEONID

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 06/16/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,404

Applicant(s)

KANEVSKY ET AL.

Examiner

Leonid Shapiro

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,9,10,12-19,22,27,28 and 30-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,9,10,12-19,22,27,28 and 30-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 4, 9-10,12,19, 22, 28,30, rejected under 35 U.S.C. 103(a) as being unpatentable over Zamojdo et al. (US Patent No. 6,272,431 B1) in view of Breed et al. (US Patent No. 6,405,132 B1) and Widl (US Patent No. 6,081,388).

As to claim 1, Zamojdo et al. teaches a virtual map system for an automobile vehicle (See Fig. 3, items 12-13, 16, Col. 2, Lines 4-7), comprising an optical arrangement installed on at least one transparent viewing surface for a driver of the vehicle (See Figs. 3-4, items 12-13, 16, Col. 3, Lines 13-14), optical arrangement representing images displayed on one viewing surface producing guiding images for imparting directions to the driver (in the reference by arrow pointed to the real objects) (See Fig. 3, 4, item 621, Col. 3, Lines 13-14 and 31-37); at least one viewing surface being selectively the windshield (See Fig. 1, item 16) comprising lenses of optical arrangement (See Fig. 1, item 11, Col. 3, Lines 24-27) having at least one arrow provided thereon (See Fig. 3, item 621, in description See Col. 3, Lines 31-37), facilitating a 3-dimensional spatial image perception (See Fig. 3, item 621, in description See Col. 1, Lines 23-30 and Col. 3, Lines 31-36); images comprise graphical representation pointing toward real objects observed by the driver (See Fig. 3, item 621, in description See Col. 3, Lines 31-37); graphical representations comprise an

image of at least one arrow display on at least one viewing surface pointing towards a selected real object for guiding the driver in a specified direction of travel (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

Zamojdo et al. does not teach a navigational system, wherein system is in operative communications with a global positioning system (GPS) so as to impart information to the driver regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means.

Breed et al teaches system is in operative communications with a global positioning system (GPS) so as to impart information to the driver regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means (See Fig. 4-5, items 46,48,54,56,58, in description See from Col. 69, Line 50 to Col. 70, Lines 54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system which is in operative communications with a global positioning system (GPS) as shown by Breed et al. in the Zamojdo et al. system in order to increase the speeds and shortening distances between vehicles (See Col. 68, Lines 33-37 in Breed et al reference).

Zamojdo et al. and Breed et al. do not teach lenses having regulatable degrees of curvature.

Widl teaches to adjust the flexible lenses having regulatable degrees of curvature by using electronic data processing device and actuating means (See in description Col. 3, Lines 35-41 and Col. 5, Lines 37-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use lenses having regulatable degrees of curvature as shown by Widl in Breed et al. and the Zamojdo et al. system to display objects located exteriorly of vehicle in order to enable an imaging quality adopted to requirements (See Col. 2, Lines 47-48 in Widl reference).

As to claim 19, Zamojdo et al. teaches a method for virtual map of an automobile vehicle (See Fig. 3, items 12-13, 16, Col. 2, Lines 4-7), comprising an optical arrangement installed on at least one transparent viewing surface for a driver of the vehicle (See Figs. 3-4, items 12-13, 16, Col. 3, Lines 13-14), optical arrangement representing images displayed on one viewing surface producing guiding images for imparting directions to the driver (in the reference by arrow pointed to the real objects) (See Fig. 3, 4, item 621, in description See Col. 3, Lines 13-14 and 31-37); images comprising graphical representation pointing towards real objects observed by the driver (See Fig. 3, item 621, in description See Col. 3, Lines 31-37); at least one viewing surface being selectively the windshield (See Fig. 1, item 16) comprising lenses of optical arrangement (See Fig. 1, item 11, Col. 3, Lines 24-27) having at least one arrow provided thereon (See Fig. 3, item 621, in description See Col. 3, Lines 31-37), facilitating a 3-dimensional spatial image perception (See Fig. 3, item 621, in description See Col. 1, Lines 23-30 and Col. 3, Lines 31-36); graphical representations comprise an image of at least one arrow display on at least one viewing surface pointing towards a selected real object for guiding the driver in a specified direction of travel (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

Zamojdo et al. does not teach method for the navigational system, wherein system is in operative communications with a global positioning system (GPS) so as to impart information to the driver regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means.

Breed et al teaches the system and method system in operative communications with a global positioning system (GPS) so as to impart information to the driver regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means (See Fig. 4-5, items 46,48,54,56,58, in description See from Col. 69, Line 50 to Col. 70, Lines 54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system which is in operative communications with a global positioning system (GPS) as shown by Breed et al. in the Zamojdo et al. system and method in order to increase the speeds and shortening distances between vehicles (See Col. 68, Lines 333-37 in Breed et al reference).

Zamojdo et al. and Breed et al. do not teach lenses having regulatable degrees of curvature.

Widl teaches to adjust the flexible lenses having regulatable degrees of curvature by using electronic data processing device and actuating means (See in description Col. 3, Lines 35-41 and Col. 5, Lines 37-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use lenses having regulatable degrees of curvature as shown by Widl in Breed et al. and the Zamojdo et al. method to display objects located exteriorly of

vehicle in order to enable an imaging quality adopted to requirements (See Col. 2, Lines 47-48 in Widl reference).

As to claim 4, Zamojdo et al. teaches a navigational system, wherein at least one arrow is projected on at least one viewing surface so as to be perceived in a 3-dimensional spatial image (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

As to claim 22, Zamojdo et al. teaches a navigational method, wherein at least one arrow is projected on at least one viewing surface so as to be perceived in a 3-dimensional spatial image (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

As to claim 9, Zamojdo et al. teaches a navigational system, wherein system comprises means to assist drivers of the vehicle having reading disabilities and restrictions to read the names of objects and streets displayed on at least one viewing surface (See Fig. 3, item 621, in description See Col. 1, Lines 40-42).

As to claim 10, Zamojdo et al. does not teach a navigational system, wherein system comprises means to assist drivers of the vehicle to recognize the colors of traffic lights as displayed on at least one viewing surface.

Breed et al teaches the system comprises means to assist drivers of the vehicle to recognize the colors of traffic lights as displayed on at least one viewing surface (See Fig. 14, item 180, in description Col.14, Lines 1-12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as shown by Breed et al. in the Zamojdo et al. apparatus in order to increase the range of applications for the navigation system.

As to claim 28, Zamojdo et al. does not teach a navigational method, wherein system comprises means to assist drivers of the vehicle to recognize the colors of traffic lights as displayed on at least one viewing surface.

Breed et al teaches the system comprises means to assist drivers of the vehicle to recognize the colors of traffic lights as displayed on at least one viewing surface (See Fig. 14, item 180, in description Col.14, Lines 1-12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as shown by Breed et al. in the Zamojdo et al. method in order to increase the range of applications for the navigation system.

As to claim 12, Zamojdo et al. teaches a navigational system, wherein pointing means comprise at least one arrow (See Fig. 3, item 621, in description See Col. 3, lines 31-37).

As to claim 30, Zamojdo et al. teaches a navigational method, wherein pointing means comprise at least one arrow (See Fig. 3, item 621, in description See Col. 3, lines 31-37).

2. Claims 13-16, 27, 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zamojdo et al., Breed et al. and Wild as applied to claims 1, 19 above, and further in view of Walker et al. (US Patent No. 6,199,014 B1).

As to claim 13-16, Zamojdo et al., Breed et al. and Wild teach a navigational system, wherein a computer is operatively connected to system for operating at least one arrow (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

Zamojdo et al., Breed et al. and Wild do not show means for inputting information to computer by the driver (by microphone or keyboard), computer including means for information displayed on at least one viewing surface while communicating with global positioning system, and imparting directional instructions to driver (by loudspeaker) in response to processing of items of information.

Walker et al. shows means for inputting information to computer by the driver (by microphone or keyboard), computer including means for information displayed on at least one viewing surface while communicating with global positioning system, and imparting directional instructions to driver (by loudspeaker) in response to processing of items of information (See Fig. 3, items 301-305, 310, 320, in description See Col. 6, Lines 3-34). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the approach as shown by Walker et al. in the Zamojdo et al., Breed et al. and Wild system in order to increase the range of applications for the navigation system.

As to claim 27, Zamojdo et al. Bred et al. and Widl do not teach a navigational method, wherein system comprises means to assist drivers of the vehicle having reading disabilities and restrictions to read the names of objects and streets displayed on at least one viewing surface.

Walker et al. teaches to assist drivers of the vehicle having reading disabilities and restrictions to read the names of objects and streets (imparting directional instructions to driver by loudspeaker in response to processing of items of information) (See Fig. 3, items 301-305, 310, 320, in description See Col. 6, Lines 3-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the approach as shown by Walker et al. in the Zamojdo et al., Breed et al. and Widl method in order to increase the range of applications for the navigation system.

As to claim 31-34, Zamojdo et al. and Breed et al. teach a navigational method, wherein a computer is operatively connected to system for operating at least one arrow (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

Zamojdo et al., Breed et al. and Wild do not show means for inputting information to computer by the driver (by microphone or keyboard), computer including means for information displayed on at least one viewing surface while communicating with global positioning system, and imparting directional instructions to driver (by loudspeaker) in response to processing of items of information.

Walker et al. shows means for inputting information to computer by the driver (by microphone or keyboard), computer including means for information displayed on at least one viewing surface while communicating with global positioning system, and imparting directional instructions to driver (by loudspeaker) in response to processing of items of information (See Fig. 3, items 301-305, 310, 320, in description See Col. 6, Lines 3-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the approach as shown by Walker et al. in the Zamojdo et al., Breed et al. and Widl method in order to increase the range of applications for the navigation system.

3. Claim 17-18, 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zamojdo et al., Breed et al., Walker et al. and Wild as applied to claims 13, 31.

As to claims 17-18, Walker et al. teach control means (mouse) as input device (See Fig. 3, item 310, in description See Col. 6, Line17).

Zamojdo et al., Breed et al., Walker et al. and Wild do not teach about a mouse mounted on the steering wheel.

Since the criticality of the placing the mouse on the steering wheel was not showing in the specifications or drawings such placement would have been considered as an obvious variation on the matter of selecting the mounting item. It would have been obvious to one of ordinary skill in the art at the time of the invention to place the mouse on the steering wheel in the Zamojdo et al., Breed et al., Walker et al. and Wild apparatus in order to increase the range of applications for the navigation system.

As to claims 35-36, Walker et al. teach control means (mouse) as input device (See Fig. 3, item 310, in description See Col. 6, Line17).

Zamojdo et al., Breed et al., Walker et al. and Wild do not teach about a mouse mounted on the steering wheel.

Since the criticality of the placing the mouse on the steering wheel was not showing in the specifications or drawings such placement would have been considered as an obvious variation on the matter of selecting the mounting item. It would have been obvious to one of ordinary skill in the art at the time of the invention to place the

mouse on the steering wheel in the Zamojdo et al., Breed et al., Walker et al. and Wild method in order to increase the range of applications for the navigation system.

Response to Amendment

4. Applicant's arguments filed on 03.29.04 have been fully considered but they are not persuasive:

On page 10, 2nd paragraph of Remarks related to independent claims 1 and 19, Applicant's stated the present invention utilizes real objects, such as land marks, intersections and the like. However, at first the specification is not the measure of invention. Therefore, limitations contained therein cannot be read into claims for the purpose of avoiding the prior art. In re Sporck, 55 CCPA 743, 386 F.2d 924, 155 USPQ 687 (1968). Secondly, Zamojdo et al. teaches land marks like buildings shown in city Awaytown and intersections close to city Closeville (See Figs 3-4).

On page 10, 3rd paragraph of Remarks related to independent claims 1 and 19, Applicant's stated that Zamojdo et al. virtual map correlated to a global positioning system (GPS). However, limitation connected to GPS, rejected based on combination of Zamojdo et al. and Bred et al. Applicant's cannot show non-obviousness by attacking references individually where, as here the rejection are based on combination of references. In re Keller, 208 USPQ 871 (CCPA 1981).

On page 10, 4th paragraph of Remarks related to independent claims 1 and 19, Applicant's stated that optical arrangement in Zamojdo et al. different with present Application. However, limitation regarding optical arrangements, rejected based on

combination of Zamojdo et al. and Widl. Applicant's cannot show non-obviousness by attacking references individually where, as here the rejection are based on combination of references. In re Keller, 208 USPQ 871 (CCPA 1981).

On page 10, last paragraph of Remarks related to independent claims 1 and 19, Applicant's stated that Breed et al. system utilizes the GPS for determining the position of a vehicle and present invention calculates directions to the landmarks. Breed et al. also receives information relation to road and stoplights (See Col. 69, Lines 54-64). However, limitation of claims 1 and 19: "to impart information to the driver regarding objects observed on a one viewing surface..." is not specific to the landmarks. Therefore, at first limitations contained therein cannot be read into claims for the purpose of avoiding the prior art. In re Sporck, 55 CCPA 743, 386 F.2d 924, 155 USPQ 687 (1968). Secondly, Zamojdo et al. teaches land marks like buildings shown in city Awaytown and intersections close to city Closeville (See Figs 3-4).

On page 11, 1st paragraph of Remarks related to dependent claim 4, Applicant's stated that present invention an utilized arrow symbol to show direction. However, Zamojdo et al. also teaches arrow symbol to show direction (See Fig. 3, item 521, Col. 3, Lines 31-37).

On page 11, 2nd paragraph of Remarks related to independent claims 1 and 19, Applicant's stated that a curved lens arrangement which can readily change its curvature is not at all disclosed nor suggested in the prior art. However, Widl teaches to adjust the flexible lenses having regulatable degrees of curvature by using electronic

data processing device and actuating means (See in description Col. 3, Lines 35-41 and Col. 5, Lines 37-40).

On page 11, 3rd paragraph of Remarks related to dependent claim 27, Applicant's stated that Zamojdo et al. system does not comprise recognition of text on objects. However, Walker et al. teaches to assist drivers of the vehicle having reading disabilities and restrictions to read the names of objects and streets (imparting directional instructions to driver by loudspeaker in response to processing of items of information) (See Fig. 3, items 301-305, 310, 320, in description See Col. 6, Lines 3-34).

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

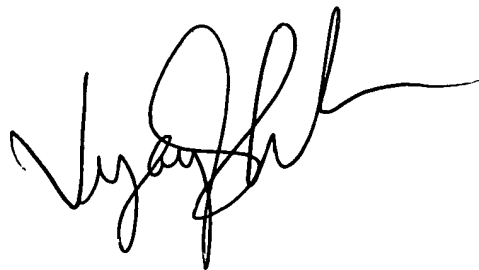
Telephone inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ls 06-07-04

A handwritten signature in black ink, appearing to read 'Vijay Shankar', with a long horizontal flourish extending to the right.

**VIJAY SHANKAR
PRIMARY EXAMINER**